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Attorneys for Defendant and

Third-Party Plaintiff, Bank of Hawaii

UNITED STATES DISTRICT COURT

FOR THE

NORTHERN MARIANA ISLANDS

LAW OFFICE OF

DOUGLAS F. CUSHNIE,

a sole proprietorship, and

DOUGLAS F. CUSHNIE,

individually,

Plaintiffs,

vs.

BANK OF HAWAII, and

MARY ROE and JOHN DOE,

Defendants.

CIVIL ACTION NO. 07-0020

STIPULATED REQUEST TO MODIFY  
CASE MANAGEMENT SCHEDULING  
ORDER

BANK OF HAWAII,

Third-Party Plaintiff,

vs.

LUCY M. DL GUERRERO,

Third-Party Defendant.

1 Come now counsel for the parties and subject to the Court's approval request  
2 modification of certain dates set forth in the Court's Case Management Scheduling Order. In  
3 support of the request counsel would show:

4 1. There is currently pending a motion to extend the date for disclosure of expert witnesses  
5 which is to be presented to the Court on August 7, 2008 at 2:00 p.m.

6 2. Counsel for the parties have conducted discussions to resolve the motion and are in  
7 agreement to a proposal for modifying certain dates set forth in the Court's Case Management  
8 Scheduling Order dated March 21, 2008.

9 3. Subject to the Court's approval, counsel request modification of the following dates:

10 a. The date for Plaintiff's expert witness disclosure be extended from August 1, 2008  
11 to October 1, 2008;

12 b. The date for Defendant and Third Party Plaintiff's expert disclosure be extended  
13 from August 1, 2008 to October 1, 2008;

14 c. The date for disclosure of Plaintiff's and Defendant's rebuttal expert disclosure be  
15 extended from September 1, 2008 to November 1, 2008;

16 d. Expert discovery completion be extended from November 14, 2008 to December  
17 15, 2008;

18 e. Dispositive motions for expert witnesses, if any, shall be heard on January 8,  
19 2009. Said motions to be filed in accordance with Local Rule 7.1<sup>1</sup>

20 f. The date for the settlement conference be extended from December 29, 2008 to  
21 January 5, 2009 at 9:00 a.m.

22 4. All other dates set forth in the Case Management Order, including the trial date of  
23 February 2, 2009, to remain the same.

24 5. If the forgoing requested modifications to the Case Management Scheduling Order are  
25 acceptable to the Court then the currently pending Motion to extend the date for expert  
26 disclosure can be taken off-calendar.

27  
28 <sup>1</sup> The current Case Management Scheduling Order sets December 18, 2008 as the hearing date for dispositive motions. Counsel request that dispositive motions on that date be for non-expert related issues.

1 WHEREFORE counsel request the Court approve the modification of the dates set forth  
2 above to the Case Management Scheduling Order.

3  
4 Respectfully submitted,

5 LAW OFFICE OF DOUGLAS F. CUSHNIE

6  
7 DATED: Saipan, MP, August 6, 2008.

/s/ Douglas F. Cushnie  
8 DOUGLAS F. CUSHNIE  
9 Counsel for Plaintiffs

10 Respectfully submitted,

11 CARLSMITH BALL LLP

12  
13 DATED: Saipan, MP, August 6, 2008.

/s/ John D. Osborn  
14 JOHN D. OSBORN  
15 SEAN E. FRINK  
16 Attorneys for Defendant and  
17 Third Party Plaintiff, Bank of Hawaii  
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